

Upon notice duly given under Arizona Revised Statutes, Section 38-431, et seq., as amended, the City Council of the City of Bullhead City held a regularly scheduled meeting on Tuesday, May 5, 2020, in the City Council Chambers, 1255 Marina Boulevard, Bullhead City, Arizona.

**CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Brady called the meeting to order at 5:30 p.m. and invited Vice Mayor Annette Wegmann to deliver the invocation. Mayor Brady led the assembly in the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council Present

Brady, Bruck, Clark, D'Amico, Ring, Shutts (via Zoom video conference),  
Wegmann

Council Absent

None

Staff Present:

CITY MANAGER: Toby Cotter  
CITY ATTORNEY: Garnet Emery  
CITY CLERK: Susan Stein  
POLICE CHIEF: Brian Williamson (via Zoom)  
FINANCE DIRECTOR: Rudy Vera (via Zoom)  
INTERIM PUBLIC WORKS DIRECTOR: Angie Johnson (via Zoom)  
HUMAN SERVICES DIRECTOR: Jeff Tipton (via Zoom)  
DEVELOPMENT SERVICES DIRECTOR: Saritti Chooniyom (via Zoom)

**PRESENTATIONS AND PROCLAMATIONS**

None

**OPEN CALL TO THE PUBLIC**

Mayor Brady opened the call to the public.

Steven Lee discussed matters relating to the 5G frequency issue. He said local government should stand up to "Goliath," as 5G was not safe. He said this was an attempt to monitor and control the human population. He requested the city deny any proposed 5G transmitter permits.

Barbara Pape said there was a homelessness problem at Community Park. She suggested creating an ordinance restricting drop-offs at the park and moving the drop-offs to the non-profit facility locations.

Eva Corbett asked if citizens could sign up to help gather information for Census 2020.

Scotty McClure said he had not seen much information about the census nor information about shutting the water off at the parks due to COVID-19 regulations. He said he would like to have smoking banned from city properties. He said people were being bussed in from Flagstaff and Las Vegas to stay in the new homeless shelter.

Nick Parsons said he has witnessed more crime in the city and said recently there were gun shots in his neighborhood. He said they had to recognize the habitual criminals and discipline them.

Dawna Quitmeyer said she did research and was a changed person that could help save the community instead of being part of the destruction. She said she now knows the difference between morals and corruption.

Chad Cane emailed his comments regarding safety on the river and the homelessness problem in the city. A copy of this email is attached to the meeting minutes.

Having no one else present requesting to speak, Mayor Brady closed the call to the public.

### **AGENDA MODIFICATIONS**

None

### **WAIVER MOTION**

**MOTION:** Vice Mayor Wegmann made a motion to waive the reading in full of all ordinances and resolutions presented for adoption at this meeting. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

### **MOTION CARRIED**

### **MANAGER'S REPORT**

#### 1. Census 2020

City Manager Cotter said the city had a comprehensive plan to promote the census and said as of today, more than 50 percent of households have responded. He said city's future depended on the census results.

#### 2. EPCOR Condemnation Update

City Manager Cotter said a Superior Court Judge would hear the case in Mohave County and said the case was ongoing.

#### 3. Budget Workshop – May 12th

City Manager Cotter said the Council budget work session would be held on May 12th at 1:00 p.m. He said they would address the shortcomings in revenue forecasts due to COVID-19.

#### 4. Sunshine Marina Boat Launch and Parking Lot

City Manager Cotter said the project had been completed.

5. City Fuel Facility now open
  - a. Fastrip

City Manager Cotter said the city had a brand new fuel facility. He thanked Fastrip for working with the city during the time the fuel facility was shut down.

6. COVID-19
  - a. City Issues
  - b. Food for Families
  - c. DOT Foods
  - d. FORWARD

City Manager Cotter said no planned city projects were cancelled due to the virus. He said staff had worked very hard to complete the municipal swimming pool resurfacing project and maintaining city streets. He provided current statistics from the Mohave County Public Health Department. He said the jet ski businesses were closed during the month of April, but had since reopened on May 1st. He said local government was working behind the scenes to protect and keep citizens safe. He said Food for Families, the River Fund and Legacy Foundation immediately stepped up to help people in the community. He said DOT Foods provided a huge supply of food for 25 food banks and families for three weeks. He said testing for 500 people would take place this Saturday at the Anderson Auto Group Field House. He said the city created a robust small business recovery program with a free online portal called FORWARD. He said there were great incentives for relief from the city and information on numerous programs, grants and loans. He displayed a video introducing the FORWARD program.

#### **MAYOR AND COUNCIL MEMBERS' REPORTS ON CURRENT EVENTS**

Mayor Brady said he thanked the community for doing all they could to social distance and staying home to stop the spread. He said the city was taking direction from Governor Ducey, and said the Governor was receiving direction from the federal government and health professionals. He said the city was working very hard to keep the city running and citizens safe and healthy.

#### **ITEMS WITHDRAWN FROM CONSENT AGENDA**

None

#### **CONSENT AGENDA**

**MOTION:** Council Member Clark made a motion that Items No. 1 and 2 on the Consent Agenda be approved in accordance with the reports, certifications and recommendations furnished each Council Member and without further discussion. Council Member D'Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

Items on the Consent Agenda were approved as follows:

1. Approval of the Minutes of the Special Council Meeting held on March 17, 2020; and the Minutes of the Regular Council Meeting held on March 17, 2020. (City Clerk Stein)
2. Acceptance of the dedication of a 25-foot and a 20-foot public utility easement in the Colorado River Estates Subdivision as depicted on Bullhead City Land Split Map 348, Lot 22. (Interim Public Works Director Johnson)

**PUBLIC HEARINGS ON ITEMS PULLED FROM CONSENT AGENDA**

None

**BOARD/COMMISSION/COMMITTEE APPOINTMENTS**

None

**PUBLIC HEARINGS ON LIQUOR LICENSE APPLICATIONS**

3. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and new Series 10 Liquor License No. 99556 submitted by Martin Salam Banyameen for Kings River Mart located at 1901 Highway 95 in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff reviewed the application and had no concerns.

Mayor Brady opened the public hearing. Having no one from the public requesting to speak, Mayor Brady closed the public hearing.

**MOTION:** Vice Mayor Wegmann made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and new Series 10 Liquor License No. 99556 submitted by Martin Salam Banyameen for Kings River Mart located at 1901 Highway 95 in Bullhead City. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

4. **PUBLIC HEARING.** Discussion and possible action to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and new Series 10 Liquor License No. 102943 submitted by Harun Ozcan for the Big AZ Market #4 located at 3713 Highway 95 in Bullhead City. (City Clerk Stein)

City Manager Cotter said staff reviewed the application and had no concerns.

Mayor Brady opened the public hearing. Having no one from the public requesting to speak, Mayor Brady closed the public hearing.

**MOTION:** Council Member Ring made a motion to make a recommendation to the Arizona Department of Liquor Licenses and Control to approve the application for an Interim Permit and new Series 10 Liquor License No. 102943 submitted by Harun Ozcan for the Big AZ Market #4 located at 3713 Highway 95 in Bullhead City. Vice Mayor Wegmann seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**ACTION ITEMS**

**Building, Planning and Zoning Items**

5. Discussion and possible action to approve Resolution No. 2020R-16 authorizing the abandonment and rededication as a public utility easement of the entire 600-foot length of the 25-foot wide alley within Block 9 of the Bullhead City Unit 2 Subdivision, located in Section 1, T20N, R22W, Bullhead City, AZ. (Development Services Director Chooniyom)

City Manager Cotter said Troy Steiner has been investing in properties located in North Bullhead. He said the abandonment would help to group lots in that neighborhood and allow redevelopment of the area. He said no utility companies had objected to the proposed abandonment.

Mayor Brady asked if anyone from the public wanted to speak.

Eva Corbett asked for the name of the developer. City Manager Cotter said the developer was Troy Steiner.

**MOTION:** Council Member Clark made a motion to approve Resolution No. 2020R-16 authorizing the abandonment and rededication as a public utility easement of the entire 600-foot length of the 25-foot wide alley within Block 9 of the Bullhead City Unit 2 Subdivision, located in Section 1, T20N, R22W, Bullhead City, AZ. Council Member Bruck seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

6. Discussion and possible action to approve the amended Final Plat for City Square Unit 2, Tract 5097; and to authorize the Mayor to sign all accompanying documents. (Development Services Director Chooniyom)

City Manager Cotter said the amended final plat would convert the City Square Unit 2 project into a commercial condominium.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

**MOTION:** Council Member Bruck made a motion to approve the amended Final Plat for City Square Unit 2, Tract 5097; and to authorize the Mayor to sign all accompanying documents. Council Member D'Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

7. Discussion and possible action to adopt Ordinance No. 2020-03 by reference, approving an amendment to Chapter 17.42 of the Bullhead City Municipal Code regarding "Off-premises Signs;" and adopting Resolution No. 2020R-17 declaring the code amendment a public record. (Development Services Director Chooniyom)

City Manager Cotter said Lamar Advertising was seeking another site for a digital billboard. He said Lamar would still have to go through the regular approval process. He said the current sign code required that off-premises signs advertising a business be a minimum of 500 feet from any residential zoning district unless the display or sign was not visible from any point within a residential zoning district. He said the amendment would specify that the sign face or display was not to be visible from residential zoning districts. He said this amendment would allow for the use of sight line technology that could direct light away from residential districts so that no portion of the display would be visible from those districts.

Mayor Brady asked if anyone from the public wanted to speak.

Scotty McClure said no more signs were needed at the intersection of Ramar Road and Highway 95. He said the lights were shining into people's windows all night long.

City Manager Cotter said there was a restrictive billboard code. He said for every new billboard that goes up, an existing billboard must come down. He said sign lighting was turned on at 4:00 a.m. and turned off at 11:00 p.m.

Steven Lee said the changing billboard sign messages were a distraction for drivers. He said the proposed sign location at Ramar Road might increase traffic accidents.

City Manager Cotter said the sign location would need to go through the regular approval process.

**MOTION:** Council Member Bruck made a motion to adopt Ordinance No. 2020-03 by reference, approving an amendment to Chapter 17.42 of the Bullhead City Municipal Code regarding "Off-premises Signs;" and adopting Resolution No. 2020R-17 declaring the code amendment a public record. Council Member Ring seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**Bid Awards, Contracts, Intergovernmental Agreement, and Purchases**

8. Discussion and possible action to adopt Resolution No. 2020R-18 approving the Intergovernmental Agreement between the Mohave County Flood Control District and the City of Bullhead City for the disbursement and use of funds for flood control projects within Bullhead City during year 2020-2021. (Interim Public Works Director Johnson)

City Manager Cotter said the Mohave County Flood Control District collected a portion of property taxes and shared with the cities each year to allow cities to perform flood control improvements. He said the allocation collected for Bullhead City this year was \$922,903.

Mayor Brady asked if anyone from the public wanted to speak.

Gerald Ross asked if any flood control projects had been planned for the year.

City Manager Cotter said projects were included in the capital improvement plan and the annual budget. He said some recent flood control projects were in the vicinity of Lakeside and Riverview at Rotary Park, Chaparral, and off the Parkway near the Cemex plant.

Gerald Ross said the intersection of Clearwater and Hancock needed flood control work as it flooded after each storm.

**MOTION: Council Member Bruck made a motion to adopt Resolution No. 2020R-18 approving the Intergovernmental Agreement between the Mohave County Flood Control District and the City of Bullhead City for the disbursement and use of funds for flood control projects within Bullhead City during year 2020-2021. Vice Mayor Wegmann seconded the motion.**

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

9. Discussion and possible action to approve the contract with Gulf Coast Innovations of Lafayette, Louisiana, in the amount of \$123,755.00 for the purchase and installation of components needed for the SCADA system at the Section 18 Wastewater Treatment Plant; and to authorize the City Manager to approve resultant payments. (Interim Public Works Director Johnson)

Interim Public Works Director Johnson said the current automated control system was approaching its life expectancy of 15 years. She said the upgrade would include the purchase, software configuration, testing of the server, computer, server rack power distribution and networking components.

Mayor Brady asked if this item was included in the budget.

Interim Public Works Director Johnson confirmed.

Mayor Brady asked if anyone from the public wanted to speak. No one from the public spoke.

**MOTION:** Vice Mayor Wegmann made a motion to approve the contract with Gulf Coast Innovations of Lafayette, Louisiana, in the amount of \$123,755.00 for the purchase and installation of components needed for the SCADA system at the Section 18 Wastewater Treatment Plant; and to authorize the City Manager to approve resultant payments. Council Member Clark seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**Other Business**

10. Discussion and possible action to approve the public auction of the City-owned parcels at 1300 Silver Creek Road with a minimum bid of \$170,000; and if Lamont is the successful bidder, authorizing the City Manager to develop and execute a purchase and sale agreement with terms and conditions that ensure the continued development of the project to completion which may include such terms as completion dates, payment of deferred rent and hotel brand affiliation. (City Manager Cotter)

**MOTION:** Mayor Brady made a motion to table Agenda Item No. 10 for discussion and consideration at a future Council Executive Session and Regular Council meeting. Council Member D'Amico seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

11. Discussion and possible action to approve Resolution No. 2020R-19 supporting the display of the National Motto, "In God We Trust," in a prominent location in the Bullhead City Council Chambers. (City Manager Cotter)

City Manager Cotter said two citizens requested the Council consider placing "In God We Trust" signage in the City Council Chambers and other city facilities at the last City Council meeting. He said he spoke with Bakersfield Councilwoman Jacquie Sullivan who was the driving force behind the organization, In God We Trust America, Inc. He said her advice to the City Council would be to just place the motto in the Council Chambers.

Mayor Brady asked if anyone from the public wanted to speak.

Scotty McClure said he believed in the separation of church and state and was totally opposed to this. He said no other City Council in the State of Arizona has approved the placement of the motto.

Steven Lee said he was opposed to this, and said it would open the possibility of a lawsuit. He said someone from an organization outside of Bullhead City made the request.

Gene Quitmeyer spoke in support of the placement of the motto.

Pastor Bill and Dr. Leah Coulter said the national motto was not a religious statement. They spoke in support of the display of the national motto, and said Bullhead City would have the distinct honor of being the first city in the State of Arizona to display the motto.

Nick Parsons spoke in support of the placement of the motto.

Barbara Pape spoke in support of the placement of the motto.

**MOTION:** Vice Mayor Wegmann made a motion to approve Resolution No. 2020R-19 supporting the display of the National Motto, "In God We Trust," to be located above the mural in the Bullhead City Council Chambers. Council Member Ring seconded the motion.

**VOTE:** AYES: Brady, Bruck, Clark, D'Amico, Ring, Shutts, Wegmann NAYS: None  
ABSENT: None

**MOTION CARRIED**

**COUNCIL REQUESTED ITEMS**

None

**ADJOURNMENT**

There being no further business to come before the Council, the Mayor declared the meeting adjourned at 7:01 p.m.

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct record of the regular meeting of the City Council of the City of Bullhead City held on the 5th day of May 2020. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 19th day of May 2020.

*Debbie Ogden, Deputy City Clerk*  
Susan Stein, MMC, CPM  
City Clerk